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Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004)

I. Introduction

1. In paragraph 30 of resolution 1546 (2004) of 8 June 2004, the Security Council requested the Secretary-General to report to the Council on a quarterly basis on the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq (UNAMI). The present report is the eighth submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the last report (S/2006/137 of 3 March 2006). It presents a summary of key political developments in the period under review, particularly with regard to the government formation process and regional developments pertaining to Iraq. The report also provides an update on the activities of my Special Representative for Iraq, Ashraf Jehangir Qazi, the activities of UNAMI, an assessment of the security situation and an update on operational and security matters.

II. Summary of key developments in Iraq

A. Key political developments

3. During the period under review, the main focus of attention was the process of government formation. Since the elections for a new parliament, the Council of Representatives, held in December 2005, Iraq has witnessed a period of extensive and complex negotiations to form its first constitutional government for a full four-year term. Political leaders representing a broad political, ethnic and religious spectrum have participated in these negotiations. The bombing of the holy Shiite shrine of Imams Ali al-Hadi and Al-Hasan al-Askari in Samarra on 22 February 2006 and the increasing sectarian violence in its aftermath, led to further complications as well as delays in these negotiations.

4. Meanwhile, the first session of the new Council of Representatives was convened on 16 March 2006 following protracted negotiations. As the oldest member of parliament, Adnan Pachachi served as acting speaker of the meeting. The parliamentarians took the oath of allegiance, but were not able to elect the Speaker and the two deputies on that day, as required by the Constitution. The meeting was

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therefore suspended until a later date. Although there was general agreement among the main party alliances in the parliament to form a government of national unity, its composition remained the subject of difficult and complex negotiations. President Jalal Talabani chaired regular consultations with the political leaders of Iraq to advance the government formation process.

5. Negotiating parties postponed the continuation of government formation talks for the period of the Shiite commemoration ceremonies of *Arba'in* and the Kurdish *Nawruz* festival in the second half of March. When government formation talks resumed on 25 March, a preliminary agreement was reached on a government programme between the coalitions which were likely to form the new Government. However, sectarian violence and a deterioration of the law and order situation continued. While negotiators were reaching understandings on the national character of the government, its parameters and structure, the discussions within the United Iraqi Alliance on the candidacy for Prime Minister stalled.

6. On 20 April 2006, Mr. Al-Jaafari announced that he would abide by any decision the United Iraqi Alliance took regarding his candidacy for the post of Prime Minister. As a result, the United Iraqi Alliance met on 21 April 2006, leading to the selection of an alternative candidate from the Da'wa Party — Jawad al-Maliki — as the new candidate of the United Iraqi Alliance for the position of Prime Minister. This development helped to move the political process forward.

7. On 23 April 2006, the Council of Representatives resumed its session that had been suspended on 16 March and elected Jalal Talabani as the new President of Iraq. Adel Abdul Mahdi from the Supreme Council for the Islamic Revolution in Iraq — a member of the United Iraqi Alliance — and Tareq al-Hashemi from the Iraqi Islamic Party — a member of the Tawafoq coalition — were elected as Vice-Presidents. The parliament also elected its Speaker, Mahmoud al-Mashhadani from the Council for Iraqi Dialogue of the Tawafoq, and two Deputy Speakers, Arif Tayfour of the Kurdish Alliance and Khaled al-Attiyya from the United Iraqi Alliance. Jawad al-Maliki was nominated as the Prime Minister-designate. In accordance with article 76 of the Constitution, President Talabani then charged the Prime Minister-designate with the formation of the Council of Ministers within 30 days.

8. On 20 May 2006, the Council of Representatives approved the appointment of the new Government of Iraq, including Jawad al-Maliki as Prime Minister and Barham Saleh (Patriotic Union of Kurdistan) and Salam al-Zubaie (General Conference for the People of Iraq) as Deputy Prime Ministers. The Parliament also approved the appointment of 37 ministers, including 26 ministers and 11 ministers of State, as well as a 34-point government programme concentrating on measures to improve security, combat corruption, promote national unity and strengthen government institutions throughout Iraq. Four women were appointed to the Cabinet representing the Ministries of Housing and Construction, Environment, Human Rights and Women's Affairs. Three ministerial posts — the Interior, Defence and National Security Affairs — remained to be filled. In the interim, the Prime Minister decided that he would hold the post of Minister of the Interior, while Deputy Prime Minister Al-Zubaie would act as Minister for Defence and Deputy Prime Minister Barham Saleh as Minister for National Security Affairs.

9. In my statement to mark the occasion, I welcomed the election of the first constitutionally elected Government of Iraq, wished it every success and expressed

the hope that the process of a broad-based and inclusive Government would be completed as soon as possible so that it would be able quickly to address the crucial issues of national reconciliation, improvement of the security situation, the rule of law, respect for human rights and reconstruction and development. In addition, I reiterated that the United Nations remained fully committed to supporting the new Government and the people of Iraq in accordance with its mandate.

10. Following the first meeting of the new Cabinet on 21 May 2006, Prime Minister Al-Maliki vowed to address the security situation as a matter of priority and also stressed the need for national reconciliation and other measures to restore peace and stability.

11. In other developments, on 27 May 2006, the Iraqi Minorities Council held a conference of all minorities with the support of UNAMI. The conference was designed to create a forum to address the concerns of the diverse Iraqi minority communities. Specifically, the aim was to ensure proportionate access to government decision-making, a review of the Constitution, the drafting of an electoral law for upcoming governorate elections, and necessary legislation and institutions for the protection of different ethnic minorities and religious denominations.

B. Regional and international developments

12. On 29 March 2006, the Council of the League of Arab States held a summit meeting in Khartoum. Iraq was one of the main items on the agenda. The observer delegation of the United Nations was led by my Under-Secretary-General for Political Affairs, Ibrahim Gambari. My Special Representative for Iraq also attended as a member of the delegation. In my message to the summit, I emphasized that Iraq's integration into the wider region must be made a priority. I also stressed that the planned League of Arab States conference on Iraqi national accord offered an opportunity to forge a broader national consensus.

13. In its resolution 340, adopted at its summit, the Council of the League of Arab States called for an urgent meeting of the Ministerial Committee to follow up on developments regarding the situation in Iraq. At the meeting of the Committee on 12 April 2006, members expressed support for continued consultations among all neighbouring States and continued contacts among all concerned international and regional parties, in particular the United Nations and the Organization of the Islamic Conference, to promote stability in Iraq. It also welcomed the measures taken to open a mission of the League of Arab States in Baghdad at the end of April 2006 (see S/2006/247, annex, para. 7).

14. During the period under review, the League of Arab States continued preparations for the planned conference on Iraqi national accord and is now planning to convene it in Baghdad on 21 June 2006. The conference follows a preparatory meeting held in Cairo in November 2005. At the request of the League of Arab States, UNAMI sent a team to Cairo from 15 to 17 April 2006 to discuss the modalities of the conference, preparatory steps, and the nature of UNAMI assistance. My Special Representative has remained in close contact with the Secretary-General of the League of Arab States, Amr Musa, and the League of Arab States Special Envoy for Iraq, Mustapha Ismail, in support of this initiative.

III. Update on the activities of the Mission

A. Political activities of the Special Representative of the Secretary-General

15. During the period under review, my Special Representative remained in close contact with all key Iraqi political leaders to facilitate negotiations on Government formation and to promote inter- and intra-communal dialogue.

16. In the context of his regular visits to all UNAMI locations, my Special Representative visited Amman from 8 to 10 March 2006 to discuss relevant United Nations activities with the UNAMI Office and the United Nations country team. He met with the Foreign Minister of Jordan, Abdelelah al-Khatib, and His Royal Highness Prince Hasan bin Talal to discuss ongoing initiatives to bring together Iraq's religious, political and tribal leaders to promote national unity and lessen the violence in Iraq, particularly in Baghdad.

17. During his trip to Washington, D.C., from 17 to 20 March 2006, my Special Representative held wide-ranging discussions on Iraq with the United States Secretary of State, Condoleezza Rice, the Secretary of Defence, Donald Rumsfeld, the Assistant to the President for National Security Affairs, Stephen Hadley, the Acting Administrator of the United States Agency for International Development, Frederick Schieck, and the Assistant Secretary of State for International Organization Affairs, Kristen Silverberg, as well as with the President of the World Bank, Paul Wolfowitz.

18. On 18 and 19 April 2006, my Special Representative visited Najaf for the fourth time to meet with Grand Ayatollah Ali al-Sistani. At the meeting, the Special Representative emphasized the need for the quick formation of a Government of national unity to improve the political, security and economic situation in the country. He also stressed the responsibility of all political, religious and community leaders to work together to create an environment in which sectarian tensions could be reduced and a genuine political settlement be reached. The Special Representative welcomed Grand Ayatollah Al-Sistani's advice and support on these important issues. On this visit to Najaf, he also held a meeting with Sayyid Moqtada al-Sadr, during which they discussed the latest political and security developments in the country and the challenges of national reconciliation and reconstruction. He also met with senior clerics from the Hawza institution, and the Governor of Najaf, with whom he discussed a range of reconstruction activities. The constructive stance taken by my Special Representative's interlocutors during these discussions helped to give renewed momentum to negotiations on government formation.

19. During his visit to Headquarters from 8 to 10 May 2006, the Special Representative participated in the meeting convened by the Secretary-General on 9 May 2006 with the Foreign Ministers of Egypt, Ahmed Aboul Gheit, Jordan, Abdelelah al-Khatib, and Saudi Arabia, Prince Saud al-Faisal, as well as with the Representatives of the Secretary-General in the Middle East, Alvaro de Soto, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, and Terje Roed-Larsen, Special Envoy for the implementation of Security Council resolution 1559 (2004). At that meeting, my Special Representative for Iraq

briefed the Foreign Ministers on the current situation in Iraq, particularly with regard to the government formation process.

20. In Baghdad, my Special Representative hosted a number of meetings bringing together a broad spectrum of religious, tribal, political, civil society and community leaders to explore options for developing an Iraqi-led Baghdad peace initiative, in response to the interest shown by many Iraqi leaders at the local and national level. The main purpose of the initiative would be to promote inter-communal dialogue and confidence-building measures with a view to curbing sectarian violence in the city of Baghdad. The Special Representative and UNAMI are currently engaged with Iraqi and other actors to further explore the potential of this Iraqi-led initiative.

21. During the period under review, my Special Representative met the Governor of Baghdad and the Baghdad Provincial Council. He also met with senior commanders of the Multinational Force as well as the Ambassadors of the United States of America, the United Kingdom of Great Britain and Northern Ireland, France, China and Italy and visiting senior officials and parliamentarians.

B. Constitutional support activities

22. During the period under review, the UNAMI Office of Constitutional Support continued its engagement with a broad spectrum of political leaders, academic institutions and non-governmental organizations to assess opinions about the constitutional review process envisaged by the new Constitution adopted in a referendum on 15 October 2005, as well as the support role of the United Nations. As part of its mandated assistance activities, UNAMI prepared a number of discussion papers on substantive and procedural issues relevant to the constitutional review envisaged by the Constitution, as well as for the implementation of the Constitution.

23. In addition, the Office has continued its seminar programme, which was launched in February 2006, to promote multiparty dialogue. The programme engages senior political leaders, technocrats and members of civil society, including non-governmental organizations and academics, in focused discussions on critical constitutional issues. The programme included a study tour to South Africa from 6 to 11 March 2006 for nine leading Iraqi politicians to draw on lessons learned from both the successes and failures of South Africa's political transition in the early 1990s. The programme covered the themes of managing political transition during conflict, multiparty engagement, minority inclusion and transitional justice. Subsequent multiparty dialogue was held on the issues of gas and oil (4-6 April, Dead Sea, Jordan) and judiciary and the rule of law (10-14 April, Siracusa, Italy). The Office is currently working on the substantive organization of dialogue on fiscal federalism (16-18 May, Dead Sea, Jordan), human rights (Vienna, 6-8 June), federalism and decentralization (Madrid, 20-22 June), and civil-military relations (Istanbul, Turkey, 18-20 July).

24. With a view to determining the specific constitutional support role of UNAMI in the coming months, the Office is in close contact with the Speaker of the Council of Representatives. Concrete support activities by the Office might include facilitating the preparation and channelling of reports, providing recommendations and initiatives arising from the Office's programme of multiparty dialogue, making available technical expertise, both through the distribution of relevant comparative

and analytical material and the provision of expert advice as required; possible Secretariat support for the Committee; and providing options for incorporating public inputs into the review process. With the government formation process completed, UNAMI intends to engage the new Government on this issue.

C. Electoral assistance activities

25. When the certification of the election held in December 2005 for the Council of Representatives was completed on 10 February 2006, the International Electoral Assistance Team, led by the United Nations in close coordination with the Independent Electoral Commission of Iraq, began a lessons-learned process on elections conducted during the transitional period.

26. The Team organized a series of internal post-certification lessons-learned workshops to identify problem areas and propose solutions for future electoral activities in Iraq. The workshops, which were held from February to April 2006, culminated in a larger lessons-learned conference that the United Nations organized in Larnaca, Cyprus, from 2 to 4 May 2006. The Larnaca conference was successful in reviewing major themes of recent elections and identifying areas that may require further assistance from the United Nations and the international community. The conclusions from those events will contribute to the foundation for future electoral events in Iraq.

27. The United Nations stands ready to provide continued technical assistance at the request of the Government of Iraq, inter alia for the establishment of the permanent electoral authority, the Independent High Electoral Commission of Iraq, and for the organization and conduct of future electoral events.

D. Reconstruction, development and humanitarian assistance

28. The Mission and United Nations agencies, programmes and funds continued to support the new Government of Iraq by working to strengthen ministerial capacities, to provide and coordinate access to basic services and to restore public infrastructure. During the period under review, Staffan de Mistura completed his assignment as Deputy Special Representative for Reconstruction, Development and Humanitarian Affairs in Iraq for a new appointment. On 15 May, he handed over his functions to his successor, Jean-Marie Fakhouri.

29. Despite the prevailing security conditions, the United Nations undertook an increasing number of missions to assess the impact of ongoing activities during the reporting period. Most of the quick-impact projects focusing on the provision of basic services in the areas of health, education, water and sanitation were successfully concluded during the reporting period. The initiation of these projects, with a total budget of $40 million, resulted from a decision in July 2005 by the Donor Committee of the International Reconstruction Fund Facility for Iraq.

30. In the reporting period, UNAMI continued to maintain its leading role in donor coordination in Iraq. In addition to supporting mechanisms adopted by the Government of Iraq, such as the Iraq Strategic Review Board and Sector Working Groups, UNAMI has also led the donor community in the preparation of key recommendations on reconstruction and development, which my Special

Representative conveyed to the new Prime Minister. The Mission will continue to work closely with the new Government on this issue.

31. Through the good offices of my Special Representative, UNAMI continued to emphasize the need for Iraqi leadership in support of humanitarian and development initiatives as an essential means of promoting political stability. UNAMI promoted the use of resources by Iraqi authorities for rebuilding damaged cultural and religious sites without prejudice and in proportion to restoration needs. As noted in my last report, the European Union contributed $8 million to the restoration of the Al-Askariya shrine in Samarra and other religious and cultural sites damaged by bombs and sectarian violence. This work is ongoing and UNAMI maintains overall coordination of United Nations efforts to support the Government of Iraq while the United Nations Educational, Scientific and Cultural Organization provides substantive technical advice and expertise on construction and the United Nations Development Programme (UNDP) provides the Iraqi workforce for the reconstruction through the Iraq Reconstruction Employment Programme.

32. Sectarian violence and ongoing military activities continue to affect the lives of Iraqi civilians in some areas. Large numbers of Iraqis were displaced, either voluntarily or because of aggression or threats by various elements. According to United Nations and Government sources, the number of displaced persons since the Samarra attack on 22 February 2006 ranges from 70,000 to 90,000 persons. United Nations agencies and their partners continue to provide food, shelter and non-food items to as many displaced persons as resources permit. In all instances, the United Nations continues to work actively to ensure that all displaced persons receive assistance equitably.

33. In mid-April, the overall security situation also prompted a group of 287 Palestinian refugees, formerly residents of Baghdad, to flee towards the Jordanian border. Upon refusal by the Jordanian authorities to admit them, the Government of the Syrian Arab Republic allowed 220 individuals to enter that country on 9 May 2006. A new group of 46 Palestinian refugees arrived at the Syrian border directly from Baghdad, but were not admitted with the first group. The Office of the United Nations High Commissioner for Refugees, in close collaboration with UNAMI, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the International Organization for Migration, took the lead in dealing with this situation. I am encouraged by the commitment of the Government to continue granting protection to Palestinians in Iraq, as well as the issuance of a recent fatwa by Grand Ayatollah Ali al-Sistani calling for respect for Palestinians and their rights.

34. In response to the recent displacements, UNAMI mobilized United Nations agencies and donors through the Emergency Working Group to devise a rapid response initiative using funds drawn from the accrued interest of the United Nations Development Group Iraq Trust Fund. The initiative will address the immediate needs of internally displaced persons, while a longer-term strategy is being developed with Iraqi authorities. UNAMI continued to work with the Office of the Prime Minister on the establishment of the Emergency Coordination and Response Cell. The Cell will be located within the Cabinet secretariat under the direct authority of the Prime Minister and will be charged, inter alia, with developing a national contingency plan. Since March 2006, the UNAMI

Humanitarian Adviser (funded by the Office for the Coordination of Humanitarian Affairs) provided support to the Prime Minister's Office for this important initiative.

35. The United Nations country team continues to work with the Government of Iraq in line with the goals of the Iraqi National Development Strategy. Through the secondment of a UNAMI international staff member to the Ministry of Planning and Development Cooperation, support continues to be extended to the Ministry in various key areas including strengthening dialogue between central and provincial authorities on reconstruction and development challenges. UNAMI, with financial support from UNDP, assisted delegations from various governorates, both governmental and from civil society, to attend a series of two-day workshops in Baghdad, led by the Ministry of Planning, on the National Development Strategy, donor coordination issues, national budget and provincial priorities. The outcome assisted the Ministry to begin revising the Strategy, which the Government plans to release at the next meeting of the International Reconstruction Fund Facility for Iraq, which is to be held during the next reporting period.

E. International Reconstruction Fund Facility for Iraq

36. As at 30 April 2006, the total contributions to the United Nations Development Group Iraq Trust Fund, one of the two windows of the International Reconstruction Fund Facility for Iraq, equalled $913 million. A total of 88 projects valued at $769.5 million were approved at the end of April 2006 for funding under the Iraq Trust Fund. At the same time, contracts worth $602 million (78 per cent of approved funding) had been initiated and $455 million (59 per cent of approved funding) had been disbursed. Fourteen projects with a total cost of $123 million have been operationally completed. These figures represent further progress in providing notable contributions to the reconstruction and development goals of Iraq, particularly considering the security and institutional circumstances under which activities are being carried out.

37. On 12 May 2006, the third consolidated six-month progress report, covering the period from 1 July to 31 December 2005 (with an informal update to the end of March 2006) was submitted by the United Nations Development Group Iraq Trust Fund to Iraqi authorities and donors. Part one highlights progress of the Trust Fund as a whole, while part two provides a review of cluster-level programme implementation. During the third six-month reporting period alone, a total of $217.72 million was expended, representing the highest expenditure of the three six-month reporting periods and an increased rate of project implementation. Most importantly, the Trust Fund is making notable contributions to governance and basic services in Iraq. The record also reflects the adapted programme implementation mechanisms that have continued to demonstrate their effectiveness in mitigating the considerable hurdles to implementation on the ground, such as insecurity and a lack of clear and timely decision-making by Iraqi authorities.

38. The Trust Fund continues to make strides in transparency and accountability in its operations, particularly through the active use of the website of the International Reconstruction Fund Facility for Iraq (http://www.irffi.org). Monthly newsletters, procurement opportunities and detailed information on the awarding of contracts by all agencies, to name only some items, are posted on the site regularly and updated. On the website, donors, the public and United Nations organizations can learn the

levels of commitments and disbursements that each cluster and agency has achieved in project implementation, and also find details concerning the contractors who are delivering many of the activities.

39. Following the formation of the new Government of Iraq, a meeting of the Donor Committee of the International Reconstruction Fund Facility for Iraq will be organized to provide the occasion for the Government to present its development priorities and for donors to replenish the resources of the Reconstruction Fund.

F. Human rights activities

40. Political uncertainty, insecurity, high levels of violence and military operations continue to undermine the human rights situation in Iraq, notwithstanding the efforts made by the Government of Iraq to address this situation. The right to life continues to be severely undermined by the ongoing insurgency, sectarian violence, revenge attacks and militia activities, as well as by the use of force, at times excessive, by the military and security forces. Indiscriminate violence by insurgents is a particular concern in this regard. In Baghdad and central areas of the country, where insurgent attacks and military operations by the Multinational Force and Iraqi security forces have continued, civilian life remains seriously affected. The insurgency has reportedly targeted civilian neighbourhoods with indiscriminate mortar fire, which resulted in civilian casualties. In Al-Anbar, where daily clashes are reported between insurgents and Iraqi security forces and the Multinational Force, civilian casualties, damage to civilian property and extreme hardship to civilians are commonplace.

41. While official figures regarding the number of casualties are not available, scores of civilians are reported killed or wounded weekly, including women and children, as targeted or unintended victims of violent attacks. Politicians, members of the public administration, including police, army and judges and professionals and those perceived to be associated with the Multinational Force have been assassinated. Particularly disturbing is the recent surge in assassinations of the family members of several prominent politicians. Numerous bodies bearing signs of torture and extrajudicial execution have continued to appear daily in and around Baghdad and in other parts of the country. According to Iraqi non-governmental organizations, since January 2006 approximately 20,000 persons, including foreigners, have been kidnapped in the country, some for ransom or political motives, and others for reasons unknown.

42. During the reporting period, numerous insurgent attacks have killed and maimed civilians and destroyed or damaged cultural and religious sites, particularly mosques and churches of different denominations, with the clear intent of fomenting fear and sectarian animosity. The largest attack occurred on 7 April, in which the Buratha mosque north of Baghdad was targeted, killing at least 85 people and injuring 160 others.

43. I remain concerned that the perpetrators of some of the most heinous crimes in Iraq often go unpunished. Particularly worrisome are the rising level of murders, threats and acts of intimidation being committed against judges, prosecutors and court officials, hampering the normal functioning of the courts. Furthermore, it is often reported that the police disregard judicial orders regarding the detention and release of individuals. Militias and other insurgent groups also openly claim to be

running illegal courts. Judicial investigations should ensure that militia members accused of committing human rights violations are brought to justice and prosecuted and expelled from the security forces. It will be necessary to reinforce the justice system and to establish effective internal oversight mechanisms of key institutions, such as those in the Ministries of the Interior, Defence and Justice.

44. Violence affected women, children and the elderly by hampering access to basic services. Women faced harassment and intimidation to make them conform to traditional dress. "Honour crimes", including killing and domestic violence, were reported although UNAMI has been unable to obtain precise figures for the whole country. The Government recently reported that, since the beginning of 2006, more than 500 women may have been the victims of "honour killings" in the Kurdish region alone.

45. Attacks on academics, professionals and journalists are also a worrisome development. At least 100 professors have reportedly been killed since 2003 and over 200 have been detained. Other professionals, including doctors and health workers, have also been targeted and many continue to leave the country. More than 70 journalists have been killed on duty in Iraq since March 2003, and many others have been maimed, detained or threatened while carrying out their work. Media workers in the Kurdish region continue to face intimidation and court prosecution for pursuing freedom of expression. In one positive development, Kamal Sayid Qadir, a Kurdish writer with Austrian citizenship who had been detained since 26 October 2005 and sentenced late in March to 18 months in prison for posting "defamatory" articles about the authorities in Kurdistan, was pardoned on 3 April.

46. The intimidation and killing of ethnic and religious minorities is of particular concern. UNAMI received reports that approximately 2,400 Christian families migrated from the city of Mosul to other areas in Ninewa governorate with a Christian majority.

47. The number of detainees in the country continues to rise and remains a source of discontent for many Iraqis. In mid-May, the Ministry of Human Rights reported that there were 28,700 detainees countrywide, revealing a slight decrease in the overall number of individuals in custody. UNAMI will continue to work with the Iraqi authorities and the Multinational Force to find constructive solutions to this issue. In particular, UNAMI will continue to work with all involved to ensure that the release of detainees, or the transfer of detainees from the Multinational Force to Iraqi jurisdiction, is carried out promptly and in accordance with international human rights standards. In this regard, every effort should be made to ensure that detainees enjoy the right of due process. The investigation of the illegal detention centre of Al-Jadiriya, as well as other investigations carried out by the Government regarding conditions of detention in the country, is yet to be made public.

48. The Mission continues to follow the trial of former president Saddam Hussein, which resumed during the reporting period. The trial in the Iraqi Higher Tribunal entered a new phase with the commencement of testimonies by the defendants. The Higher Tribunal also announced the conclusion of the investigation of the Anfal campaign. The case has thus been referred to the court, which will set a date for the beginning of the trial.

49. The Mission continues to work with Iraqi ministries, judicial institutions and civil society organizations to support the establishment of a strong national human

rights protection system. The Human Rights Office continues its work related to the development of the rule of law by supporting the Rule of Law Sector Working Group, a meeting of representatives of relevant Ministries, donors and the United Nations under the chairmanship of the President of the Higher Judicial Council, and by addressing rule of law issues with local authorities in the Basra Governorate. In close cooperation with Iraqi authorities and donor partners, the Office is developing a comprehensive strategy on the rule of law to address current challenges faced by the judiciary. The Office of the United Nations High Commissioner for Human Rights and UNAMI are also working closely with Iraqi authorities and civil society organizations to support the establishment of an independent national human rights Commission in Iraq as foreseen in the Constitution.

IV. Security and operational issues

A. Assessment of the security situation

50. Iraq remains a highly dangerous environment and United Nations staff members are at considerable risk of becoming targets of violence. The political transition and attempts at maintaining security and control by the Multinational Force and Iraqi security forces have coincided with the development of an increasingly sophisticated and complex armed opposition capable of carrying out a consistently high level of violent activity across the country. The governorates of Baghdad, Ninewa, Salahuddin, Anbar and, more recently, Diyala, have been experiencing the worst of the violence. Although the remaining Iraqi governorates are generally less affected, some, notably Basra (in particular the city of Basra) and Ta'mim (mostly the city of Kirkuk), witnessed high levels of tension and growing numbers of violent incidents.

51. The lethal character of the attacks is marked by the large numbers of casualties, especially among civilians. Much of the violence in recent months stemmed from acts perpetrated by both sides of the Sunni-Shiite sectarian divide. Despite some recent claims of decline in sectarian violence, March 2006 was the fourth most deadly month since May 2003, with twice as many Iraqis killed as in December 2005. Overall, targeting and technological trends are disturbing. Groups that are specifically targeted include prominent Sunni and Shiite Iraqis, Government workers and their families, members of the middle class (such as merchants and academics) and people working for or associated with the Multinational Force.

52. The continuing attacks throughout the country, coupled with the destruction of critical infrastructure, have resulted in severe disruptions in the delivery of essential services, including fuel, water and electricity. The diplomatic community remains under serious threat as embassy staff have been abducted and killed and facilities attacked.

53. The situation in Basra remains tense and the Multinational Force has restricted the freedom of movement in the area. Demonstrators have demanded the handover of security responsibilities to local authorities. The situation continues to impede the ability of United Nations staff to move across the region. All Multinational Force bases including Basra Palace where United Nations staff live, experience frequent mortar and rocket attacks. In addition, the recent death of three Italians and one

Romanian as a result of roadside bombs in Dhi-Qar governorate has re-emphasized the dangers and volatility now experienced in the region.

54. Security in the international zone in Baghdad, which is in the midst of a transition from Multinational Force control to Iraqi security force primacy, is under constant review by UNAMI and the Department for Safety and Security. At this time, the integrity of the zone's perimeter and internal checkpoints are being maintained, but the topic is a regular point of discussion with the Multinational Force to ensure that the current level of security is sustained.

55. The situation in Erbil remains relatively calm and during the reporting period, planning was undertaken to allow for a modest expansion of the United Nations presence into an Area Office, with an inner ring guard force to be provided by Fiji and middle ring protection to be provided by the Republic of Korea.

B. Facilities, logistics and support

56. The Mission has commenced the planned transition from facilities managed by the Multinational Force to facilities it manages itself. The staff in Erbil have moved from a compound of the Multinational Force to the new UNAMI Area Office. The new Area Office facilities in Basra are now ready for occupation by staff currently located in the United States and United Kingdom compound. In Baghdad, a new interim accommodation site has been identified for the exclusive use of UNAMI staff and will be occupied in the coming months. A permanent site for an integrated Mission headquarters for the United Nations in Iraq has been allocated by the Government of Iraq and plans for its development are under way. A UNAMI support detachment has also been established at Baghdad International Airport.

57. The acquisition of air assets for the United Nations presence in Iraq has been a major challenge. I therefore requested support from several Member States with the necessary capacity. On 30 May 2006, Denmark decided to offer UNAMI a dedicated aircraft, and working-level discussions on the implementation arrangements are currently under way. Japan is also actively considering air support to UNAMI.

C. Agreements

58. I am pleased that the Government of Kuwait has notified the United Nations that it has fulfilled all legal requirements for the entry into force of the agreement between the United Nations and the State of Kuwait concerning the activities of UNAMI in Kuwait. The agreement accordingly entered into force on 18 April 2006. I take this opportunity to thank the Governments of Kuwait and Jordan for their continued cooperation with the United Nations in support of its mandate in Iraq.

59. The status-of-mission agreement between the United Nations and the Government of Iraq was signed on 3 June 2005. However, its entry into force remains pending in the absence of the exchange of notes of approval between the parties. While the United Nations sent a note to that effect to the Government of Iraq on 6 June 2005, the confirmation of the Government of Iraq remains pending. I call upon the new Government of Iraq to take early action on the approval of the agreement by way of a corresponding note. This confirmation will give UNAMI the required legal status to fulfil its mandated tasks.

60. The Mission is pursuing the negotiation of a series of supplemental arrangements with the Multinational Force to implement the agreement concerning the establishment of security for UNAMI, concluded between the United Nations and the Government of the United States on 8 December 2005. I look forward to the early finalization of these arrangements, which will form a core aspect of continued security support for the presence of the United Nations in Iraq.

V. Observations

61. The formation of the first constitutionally elected Government of Iraq, on 20 May 2006, represents the culmination of Iraq's political transition process set forth in the Transitional Administrative Law, endorsed by the Security Council in resolution 1546 (2004). It is encouraging that Iraq's political leaders, building on the broadly participatory elections held in December 2005, have demonstrated that they can rise to the challenge and engage in a spirit of compromise to form an inclusive and democratic Government, despite the difficult overall circumstances. However, the protracted nature of the negotiations and the serious deterioration of the security situation following the Samarra bombing in February 2006 indicate that the people of Iraq have arrived at an important turning point. If the new Government is able to develop and implement a concrete national agenda to quickly address the basic needs and concerns of all of Iraq's different communities, Iraq can be put on a path towards peace and prosperity. On the other hand, unless a strong positive dynamic towards national reconciliation is generated soon, there will be a grave danger of increased polarization, sectarian strife and, potentially, civil war. The need for sustained inter-communal dialogue and confidence-building measures therefore remains as urgent as ever.

62. I hope that Iraq's political leaders will now resolve to do everything possible to consolidate the political process, building on the momentum generated by the formation of the new Government, by healing political and social divisions, deepening the national consensus towards national reconciliation, strengthening democratic institutions and quickly improving the living conditions and human rights for all Iraqis. This approach offers the best prospects for ensuring that the political process has a positive impact on the security situation. The new Government must be empowered so as to enable it to demonstrate to the Iraqi people that their participation in the elections will lead to tangible improvements in their daily lives. A number of key steps at the national, regional and international level, set out below, can be envisaged to foster a strong positive dynamic in this direction.

63. National reconciliation has become even more of an imperative since my last report. The Iraqi people have demonstrated time and again that, despite severe provocations and attacks, they can meet the challenge of national reconciliation and find creative ways to reach out to one another. One concrete example of a measure to prevent sectarian strife is the idea of an Iraqi-led peace initiative for the city of Baghdad, aimed at promoting confidence-building both within and between communities.

64. In addition, the constitutional review and the implementation of the Constitution remain essential for reaching a national consensus on establishing an effective framework for the Iraqi State. Careful consideration will be needed to determine where constitutional revisions are necessary for the configuration of

effective State structures, and where the requisite changes can be effected through legislation. The United Nations, in close cooperation with the European Union and other international partners, remains fully committed to continue its constitutional support role and looks forward to a dialogue with the new Government of Iraq on how the United Nations can best fulfil its mandate in this important area. At the request of the Government of Iraq, the United Nations also stands ready to provide continued electoral assistance, inter alia through support for future electoral events and for the establishment of the permanent electoral authority, the Independent High Electoral Commission of Iraq.

65. At the regional level, Iraq's neighbours and other countries have an important role to play in supporting national reconciliation inside Iraq, while fully respecting the country's sovereignty, political independence and territorial integrity. The United Nations therefore continues to support the planned League of Arab States conference on Iraqi national accord in Baghdad. My Special Representative continues to work closely with the League of Arab States on this initiative. Thorough preparations, close coordination with the new Government of Iraq and an authentic representation of all Iraqi communities will be key elements for its success. The United Nations is also exploring the idea of establishing a regional contact group on Iraq at the working level, composed of Iraq and its neighbours. The contact group could be a useful forum for dialogue on how the States neighbouring Iraq can contribute to mobilizing greater international support for Iraq, as well as a forum for dialogue between countries of the region to promote stability inside Iraq.

66. At the international level, the establishment of a constitutionally elected Government of Iraq should be seen as an opportunity for the international community to build a deeper consensus in support of Iraqi transition, including in the Security Council. The international community now has an opportunity to accelerate the recovery of Iraq through fulfilling existing pledges of assistance by means of internationally agreed funding facilities, such as the International Reconstruction Fund Facility for Iraq, the development of complementary additional mechanisms for new contributions, and increasing the levels of debt forgiveness. An early agreement on an Iraqi-led framework for mobilizing new and additional international assistance for Iraq should be considered a matter of priority.

67. In my last report, I emphasized that without an improvement in the human rights situation the quest for national reconciliation would prove arduous. During the period under review, the human rights of the Iraqi people have continued to be severely challenged by the ongoing insurgency, sectarian violence, revenge attacks and militia activities, as well as by the use of military force, which has at times been excessive. Notwithstanding the efforts made by the Iraqi security forces and the Multinational Force to address the security challenges in Iraq, I reiterate my call to them to act in full accordance with international humanitarian and human rights law. The displacement of thousands of families, mainly in Baghdad, is also of serious concern. While these challenges are enormous, I hope that the new Government of Iraq will demonstrate responsible leadership by placing the promotion of human rights, good governance and the rule of law at the core of its agenda. The United Nations stands ready to provide continued support. The more the new Government is seen to deliver tangible benefits in this area, the more confidence it will give to the communities of Iraq, as well as their political leaders, to overcome divisions and engage in a genuine dialogue on a truly national agenda.

68. With a view to developing a robust human rights agenda, I hope that the new Government of Iraq will consider the following steps as a matter of priority: the establishment of an independent national human rights commission and a centre for the missing and disappeared persons; support for the development of a comprehensive strategy for transitional justice; encouragement of legislative reform; the strengthening and modernization of the judiciary and the administration of justice; the reinforcement of civil society organizations; and the bolstering of the creation of a culture of human rights and rule of law. These reforms will be essential for the success of larger sustainable efforts in the areas of peace and security, as well as reconstruction and economic and social development.

69. The new Government of Iraq will also have to fulfil the high expectations of the Iraqi people to improve security and the law and order situation arising from the increasing level of violent crime. Efforts by the Multinational Force to train and equip the Iraqi security forces are indispensable in this regard. However, the Iraqi people must be able to see a real improvement in the security situation. To this end, the new Government will need to provide an effective programme for managing the country's security challenges. While implementing such a programme will take time, many Iraqis are looking to the new Government to combine the defence of its citizens and State institutions with security sector reform, disarmament, demobilization and reintegration of militias, sustained outreach to all of Iraq's communities and rapid improvement in basic living conditions. It is now incumbent on the new Government to assume its sovereign responsibilities to take full ownership of its national affairs, including in the vital area of security, assisted as necessary by the international community.

70. The United Nations remains fully committed to implementing, circumstances permitting, its mandate under Security Council resolutions 1546 (2004) and 1637 (2005). With a view to promoting dialogue and consensus-building towards national reconciliation, my Special Representative and his team stand ready to lend their good offices and provide political facilitation to the new Government, based on the contacts UNAMI has established with a wide spectrum of Iraqi interlocutors. In addition to core ongoing political, electoral and constitutional activities, the United Nations also intends to strengthen its activities in other key areas of its mandate, particularly reconstruction and development with a focus on capacity-building and donor coordination. The United Nations looks forward to a comprehensive and sustained dialogue with the new Government to explore how the United Nations can best fulfil its mandate.

71. It must be recognized, however, that the Organization's presence and ability to operate effectively in Iraq remain severely constrained by the security environment. In order to provide United Nations staff with the best security possible and thereby ensure that the Organization is able to maintain a presence in Iraq, a number of mitigating and protective measures are in place that are expensive, time-consuming and restrictive. The United Nations continues to rely on the Multinational Force for static and movement protection. The development of an integrated long-term United Nations complex in Iraq has continued and new premises in Erbil and Basra have now been completed. I would like to take this opportunity to thank Member States, from both within and outside the Multinational Force, who support the United Nations in Iraq in a variety of roles, from those who provide military advisers, guard forces and movement control specialists, to those who provide aviation and ground movement support.

72. The formation of the first constitutionally elected Government of Iraq will hopefully open a new and more positive chapter in the troubled history of Iraq. The people of Iraq, who have suffered for so long, deserve the benefits of peace and prosperity that every nation is entitled to. Iraq has all the necessary human and natural resources to succeed. The United Nations will work closely with the new Government of Iraq and the international community to help the Iraqi people achieve this objective.

73. Finally, I wish to thank my Special Representative, Ashraf Qazi, for his leadership and the national and international staff of UNAMI, as well as agency personnel, for their dedicated fulfilment of their duties in implementing the UNAMI mandate under extremely difficult conditions.